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UBER TECHNOLOGIES, INC.;  
RASIER, LLC; and RASIER-CA, LLC

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

This Document Relates to:  
  
ALL ACTIONS

Case No. 3:23-md-03084-CRB

**DECLARATION OF DANIEL CUMMINGS  
IN SUPPORT OF DEFENDANTS'  
STATEMENT IN SUPPORT OF  
PLAINTIFFS' ADMINISTRATIVE MOTION  
TO CONSIDER WHETHER ANOTHER  
PARTY'S MATERIALS SHOULD BE  
SEALED [ECF No. 2199]**

Judge: Hon. Lisa J. Cisneros  
Courtroom: G – 15th Floor

DECLARATION OF DANIEL CUMMINGS IN SUPPORT OF DEFENDANTS' STATEMENT IN SUPPORT OF  
PLAINTIFFS' ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER PARTY'S MATERIALS  
SHOULD BE SEALED [ECF NO. 2199]

**DECLARATION OF DANIEL CUMMINGS**

I, Daniel Cummings, having personal knowledge of the following state:

1. I am an attorney at the law firm of Shook, Hardy & Bacon LLP, attorneys of record for Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC, (collectively, “Uber”). I am a member in good standing of the Bars of the States of Missouri, Kansas, and Nebraska. I know the following facts to be true of my own knowledge, except those matters stated to be based on information and belief, and if called to testify, I could competently do so. I respectfully submit this declaration in support of Uber’s Statement in Support of Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Material Should Be Filed Under Seal, ECF No. 2199, (“Uber’s Statement”).

2. I have reviewed the document marked as UBER\_JCCP\_MDL\_000032097-131, filed under seal by Plaintiffs on February 3, 2025 (ECF 2199-3) pursuant to the Court’s January 30, 2025 Order (ECF 2184). This document was produced in this litigation and designated as confidential pursuant to the Protective Order entered in this case dated December 28, 2023, ECF 176 (“Protective Order”). It is a presentation containing confidential, non-public internal business research setting goals, objectives, plans, and proposals, concerning data gathering accessibility and strategies that helped inform Uber’s current policies and engagement with third parties. Courts routinely seal confidential business information under the good cause standard, such as documents containing confidential internal business operations. *See Vineyard Investigations v. E. & J. Gallo Winery*, 2024 WL 4853055, at \*2 (E.D. Cal. Nov. 21, 2024) (“Non-public information regarding a party’s business operations is typically subject to sealing”); *see also, e.g., Epidemic Sounds, AB v. Meta Platforms, Inc.*, 2025 WL 345923, at \*2 (N.D. Cal. Jan. 30, 2025); *Jones v. PGA Tour, Inc.*, 2023 WL 2232094, at \*3 (N.D. Cal. Feb. 23, 2023).

3. I have reviewed the document marked as UBER\_JCCP\_MDL\_000192322-37, filed under seal by Plaintiffs on February 3, 2025 (ECF 2199-4) pursuant to the Court’s January 30, 2025 Order (ECF 2184). This document was produced in this litigation and designated as confidential

1 pursuant to the Protective Order. It is a presentation containing confidential, non-public internal  
2 business research and metrics gathered over a period of time to provide information to stakeholders  
3 on recommended courses of action to improve safety, as well as Uber's plans and strategies related  
4 to incidents concerning driver partners, which informed Uber's current policies and safety initiatives.  
5 Courts routinely seal confidential business information under the good cause standard, such as  
6 documents containing confidential internal business operations. *See Vineyard Investigations*, 2024  
7 WL 4853055, at \*2; *see also, e.g., Epidemic Sounds*, 2025 WL 345923, at \*2; *Jones*, 2023 WL  
8 2232094, at \*3.

9         4. I have reviewed the document marked as UBER\_JCCP\_MDL\_000040852-55, filed  
10 under seal by Plaintiffs on February 3, 2025 (ECF 2199-5) pursuant to the Court's January 30, 2025  
11 Order (ECF 2184). This document was produced in this litigation and designated as confidential  
12 pursuant to the Protective Order. It is a communication containing confidential, non-public research,  
13 data, statistics, and analysis concerning certain reported driver incidents that informed Uber's  
14 approach to current policies and engagement with third parties. Courts routinely seal confidential  
15 business information under the good cause standard, such as documents containing confidential  
16 internal business operations. *See Vineyard Investigations*, 2024 WL 4853055, at \*2; *see also, e.g.,*  
17 *Epidemic Sounds*, 2025 WL 345923, at \*2; *Jones*, 2023 WL 2232094, at \*3. This document also  
18 contains personal information of an Uber employee, namely a non-public email address. "Courts in  
19 this circuit routinely seal email addresses and other personal identifying information under the  
20 compelling reasons standard due to the potential privacy harm to the individual whose contact  
21 information may be exposed." *Jones v. PGA Tour, Inc.*, 2023 WL 7434197, at \*2 (N.D. Cal. Oct. 5,  
22 2023).

23         5. I have reviewed the document marked as UBER-MDL3084-000099693-732, filed  
24 under seal by Plaintiffs on February 3, 2025 (ECF 2199-6) pursuant to the Court's January 30, 2025  
25 Order (ECF 2184). This document was produced in this litigation and designated as confidential  
26 pursuant to the Protective Order. It is a presentation containing confidential, non-public internal  
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1 business research and technology development, revealing Uber's decision-making processes and  
2 strategic plans that informed Uber's current policies and engagement with third parties. Courts  
3 routinely seal confidential business information under the good cause standard, such as documents  
4 containing confidential internal business operations. *See Vineyard Investigations*, 2024 WL  
5 4853055, at \*2; *see also, e.g., Epidemic Sounds*, 2025 WL 345923, at \*2; *Jones*, 2023 WL 2232094,  
6 at \*3.

7 6. The disclosure of the above-described documents could harm Uber's competitive  
8 standing and legitimate privacy interests. No less restrictive alternative to sealing these documents  
9 would protect Uber's competitive standing and legitimate privacy interests of Uber employees.

10  
11 I declare under penalty of perjury that the foregoing is true and correct.

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13 Executed on February 10, 2025.

By: /s/ Daniel Cummings

14 Daniel Cummings  
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